



CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY given that the following public hearings will be heard by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, February 11, 2015**, at the times listed, or as soon thereafter as the matter can be heard:

10:05 a.m.

A Resolution Adopting The Second Amendment To The General Fund, Enterprise Fund, Internal Service Fund And Special Revenue Fund Budgets For Fiscal Year (FY) 2014/15. *Inquiries may be directed to the Office of Budget & Performance Improvement at 305.673.7510.*

10:10 a.m.

An Ordinance Amending Chapter 70 Of The Code Of The City Of Miami Beach, Entitled "Miscellaneous Offenses," By Amending Article II, Entitled "Public Places," By Amending Division 2, Entitled "Bicycling, Skateboarding, Roller Skating, In-Line Skating, And Motorized Means Of Transportation"; By Amending Section 70-67, Entitled "Prohibited Activities," By Prohibiting Bicycling, Roller Skating, In-Line Skating, And Skateboarding On The East Side Of Ocean Drive From 5th To 15th Streets; By Amending Section 70-70, Entitled "Responsibilities Of Persons And Business Entities Providing Rentals, Leases, And/Or Tours Of Electric Personal Assistive Mobility Devices," By Amending The Responsibilities Set Forth Therein And To Include Persons And Business Entities Providing Rentals, Leases, And/Or Tours Of Other Motorized Means Of Transportation, And Correcting Scrivener's Errors Therein; By Amending Section 70-71, Entitled "Enforcement; Penalties," By Amending The Enforcement And Penalty Provisions Therein; And Providing For Repealer, Severability, Codification, And An Effective Date. *Inquiries may be directed to the Transportation Department at 305.673.7514.*

10:15 a.m.

An Ordinance Amending The Code Of The City Of Miami Beach, Florida By Amending Chapter 118, "Administrative And Review Procedures", Article IX, "Nonconformances," By Amending Section 118-395, "Repair And/Or Rehabilitation Of Nonconforming Buildings And Uses," By Modifying And Clarifying Allowable Additions To Non-Conforming Buildings; Providing For Codification; Repealer; Severability; Applicability; And An Effective Date. *Inquiries may be directed to the Planning Department at 305.673.7550.*

10:20 a.m.

An Ordinance Amending Subpart A – General Ordinances, Chapter 106 "Traffic And Vehicles", At Article I, Division 1 Entitled "Generally", To Clarify That A Parking Enforcement Specialist May Issue Code Compliance Violations Under Section 106-116 Through 106-126, With Enforcement Through The Special Master; And At Article II Entitled "Metered Parking; Creating Division 3 Entitled "– Construction Parking And Traffic Management Plan"; And Creating Sections 106-116 Through 106-130; Providing For Legislative Intent; Definitions; Creating A Requirement That All Contractors Provide Traffic Plan To The Building And Parking Department(s) Prior To Obtaining A Building Or Grading And Shoring Permit For All Projects Over A Certain Construction Threshold; To Ensure That All Employees, Contractors, And Subcontractors Are Part Of A Traffic Management And Parking Plan For Parking Of Vehicles; Providing For Penalties, Enforcement Procedures And Appeals; Providing For Repealer; Severability; Codification; And An Effective Date. *Inquiries may be directed to the Parking Department at 305.673.7505.*

10:25 a.m.

An Ordinance Amending Chapter 46 Of The Code Of The City Of Miami Beach, Entitled "Environment," By Amending Article III, Entitled "Litter," By Amending Division 1, Entitled "Generally," By Amending Section 46-92 Thereof, Entitled "Litter; Definitions; Prohibitions On Litter; Penalties For Litter And Commercial Handbill Violations; Commercial Handbill Regulations, Fines, And Rebuttable Presumptions; Seizure And Removal Of Litter By The City; Enforcement; Appeals; Liens" To Amend Subsection (a) To Define The Terms "Polystyrene" And "Expanded Polystyrene" And To Amend Subsection (c) To Prohibit Any Person From Carrying Any Expanded Polystyrene Product Onto Any City Marina, Pier, Dock, Or Boat Ramp; Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article I, Entitled "In General," By Amending Section 82-7 Thereof, Entitled "Prohibitions Regarding Sale Or Use Of Expanded Polystyrene Food Service Articles By City Contractors And Special Event Permittees," To Define The Term "Polystyrene" And To Amend The Definition Of "City Facility" To Include City Marinas, Piers, Docks, And Boat Ramps And To Amend The Definitions Of "City Facility" And "City Property" To Include Property Leased To The City And Clarifying The Effective Date Of Section 82-7; Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article IV, Entitled "Uses In Public Rights-Of-Way," By Amending Division 5, Entitled "Sidewalk Cafes," By Amending Subdivision I, Entitled "Generally," By Amending Section 82-366 Thereof, Entitled "Definitions," To Define The Terms "Polystyrene," "Expanded Polystyrene," And "Expanded Polystyrene Food Service Articles"; And Providing For Repealer, Severability, Codification, And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470 and the Environment and Sustainability Division at 305.673.7010.*

10:30 a.m.

An Ordinance Amending The City Code, Chapter 104, "Telecommunications," Article I, "Communications Rights Of Way," By Amending And Providing Definitions; Amending The Registration Process; Amending The Permit Application Process To Require The Issuance Of Permits; To Require Design And Appropriateness Review And Approval By The Design Review Board And Historic Preservation Board; Creating Standards For Communications Facilities Design, Location And Collocation; Adding Standards For Site Improvements, Use Of And Restoration Of Sites And Rights-Of-Way, Including Distance Separation Between Communications Facilities And Between Such Facilities And Residential Uses And Contributing Buildings In Historic Districts; To Provide For Compensation To The City For The Use Of Public Rights-Of-Way For These Purposes; And Amending Such Other Sections As Are Appropriate To Protect The Public Health, Safety And Welfare; And Amending The Land Development Regulations Of The City Code, Chapter 118, Article II, "Boards," Divisions 3 And 4, "Design Review Board" And "Historic Preservation Board," Sections 118-71 And 118-102, "Powers And Duties," To Add Review And Approval Of Improvements In The Rights-Of-Way As Being Within The Jurisdiction Of The Design Review Board And Historic Preservation Board Respectively; And Chapter 118, Article VI, "Design Review Procedures," Section 118-251, "Design Review Criteria," And Article X, "Historic Preservation," Division 3, "Issuance Of Certificate Of Appropriateness/ Certificate To Dig/Certificate Of Appropriateness For Demolition," Section 118-564, "Decisions On Certificates Of Appropriateness," Adding Criteria For Such Review For Telecommunications Equipment And Facilities; Providing For Codification; Repealer; Severability And An Effective Date. *Inquiries may be directed to the Office of the City Attorney at 305.673.7470.*

10:35 a.m.

A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee At Its February 2, 2015 Meeting, To Approve The Vacation Of The Right Of Way Known As Liberty Avenue (Palm Avenue) Between 22nd Street (Ocean Avenue) And 23rd Street (Atlantic Avenue), Which Is A 50 Foot In Width Right-Of-Way, Containing Approximately 12,500 Square Feet In Total Area, As Shown On The Plat Of Amended Map Of The Ocean Front Property Of The Miami Beach Improvement Company, Recorded In Plat Book 5 At Page 7, Of The Public Records Of Miami-Dade County, In Favor Of The City Of Miami Beach, (The Applicant); Waiving By 5/7th Vote, The Competitive Bidding And Appraisal Requirements Pursuant To Section 82-39(a) And (b) Of The City Code, Finding That The Public Interest Would Be Served By Waiving Such Conditions. *Inquiries may be directed to the Capital Improvement Projects Department at 305.673.7071.*

Dr. Stanley Sutnick Citizen's Forum – Pursuant to Resolution No. 2013-28440, the times for the Dr. Stanley Sutnick Citizen's Forum are **8:30 a.m.** and **1:00 p.m.**, or as soon as possible thereafter. Approximately thirty minutes will be allocated to each session, with individuals being limited to no more than three minutes or for a period established by the Mayor. No appointment or advance notification is needed in order to speak to the Commission during this Forum.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these items are available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk
City of Miami Beach